

From: tim@seakr5.seakr.com@inetgw
To: Microsoft ATR
Date: 1/23/02 1:24pm
Subject: Microsoft Settlement

Hello,

I'd like to take a few moments to comment upon the proposed Microsoft Antitrust Settlement as allowed for by the Tunney Act.

I wish I had more time to research all of the factors that one comes across in trying to intelligently articulate an argument against the proposed settlement but my time is limited. However, having been a user/administrator of Microsoft software for over a decade, and having followed the DOJ case against Microsoft from the very beginning, as well as reading through the proposed settlement itself I have to say I have enough information to offer an informed opinion.

The proposed settlement is way out of proportion for what Microsoft has done to its competitors, customers, as well as the computer software market as a whole. The proposed settlement is nothing more than a mere "slap on the wrist" and merely *encourages* Microsoft to continue its grossly blatant abuse of its monopoly powers without fear of any responsibility for its crimes. The fact that these nine states can even consider this to be a settlement is a completely inexcusable waste of taxpayer money.

The problem has already been identified and affirmed *twice* in court. Microsoft IS a monopoly. The solution is to allow others to fairly compete with Microsoft so that competitive forces (i.e. consumer choice) drive the computer software market, not Microsoft's monopoly. I didn't see anything within the proposed settlement that I believed would change Microsoft enough to even make a dent in the monopoly it currently manages. Until there is some real competition in the computer market security and innovation within this market will continue to be abysmal.

Like any monopoly Microsoft only cares about its profits. As it stands, Microsoft can pretty much charge whatever it wants for its software, the software market has little, if any input into the equation. The only way to change the monopoly's behavior is to make it unprofitable. Again, there is nothing in this settlement that will change Microsoft's behavior because there is NO financial incentive for Microsoft to do so.

I greatly urge you to reject this proposed settlement on the basis that it will neither change Microsoft's behavior nor noticeably limit Microsoft's ability to continue managing its highly profitable monopoly. To consider this agreement to be a settlement in the US citizens' best interest is a grave misjustice.

Thank you for your time,

Timothy J Flower
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